

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF _____

, Complainant,

v.

Chancery No. _____

, Respondent.

PENDENTE LITE ORDER

THIS DAY came the ☐ Complainant ☐ with ☐ without counsel and the
☐ Respondent ☐ with ☐ without counsel ☐ pursuant to notice properly served ☐ by agreement.

Upon hearing the evidence, the Court finds and hereby ORDERS that these dependents:

Name	Date of Birth	Relationship	Social Security #
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

are entitled to support from the ☐ Complainant ☐ Respondent, and custody of the said children is awarded to
☐ Complainant ☐ Respondent ☐ both parties jointly, with primary physical custody to ☐ Complainant
☐ Respondent with reasonable rights of visitation upon reasonable notice reserved unto ☐ Complainant
☐ Respondent ☐ as set forth in the exhibit attached hereto and made a part hereof. As a condition of custody
or visitation, thirty days advance written notice must be given to the Court and the other party by any party
intending to relocate and of any intended change of address.

It is further ADJUDGED, ORDERED and DECREED:

☐ Complainant ☐ Respondent is to pay to the ☐ Complainant ☐ Respondent the sum of
\$_____ per month for the support and maintenance of the infant child or children with payments in the
amount of \$_____ to begin _____ and to continue monthly/semi-monthly/weekly/bi-
weekly on the _____ day of each month/week thereafter until the child reaches the age of eighteen or until further
order of this Court. Said support shall continue to be paid for any child over the age of eighteen who is (i) a full-time
high school student, (ii) not self-supporting and (iii) living in the home of the parent seeking or receiving child
support until such child reaches the age of nineteen (19) or graduates from high school, whichever first occurs. The
amount of child support which would result from the application of the Child Support Guidelines is
\$_____.

☐ The child support ordered herein is not pursuant to the Guidelines provided in § 20-108.2 because the
application of the Guidelines would be unjust or inappropriate in this case as determined by relevant evidence
pertaining to the factors set forth in § 20-108.1:

☐ the amount of child support has been agreed upon by the parties;

☐ other: _____

☐ Complainant ☐ Respondent is to pay to the ☐ Complainant ☐ Respondent the sum of \$_____, per month for his/her support and maintenance, with payments in the amount of \$_____ to begin _____ and to continue monthly/semi-monthly/weekly/bi-weekly on the _____ day of each month/week thereafter until further order of this Court;

Pursuant to Virginia Code § 20-79.2;

☐ Support payments are to be made by Payroll Deduction Order.

☐ By agreement of the parties, as shown by their endorsement to this Order, support payments are to be made by the payor directly to the payee without a Payroll Deduction Order.

☐ Good cause has been shown for not imposing immediate withholding and payroll deduction.

☐ Complainant ☐ Respondent is to have the temporary exclusive possession of the marital home located at _____ and the contents thereof.

☐ Complainant ☐ Respondent is to pay the mortgage payment (including taxes and insurance) on the marital home until further order of this Court;

☐ Complainant ☐ Respondent shall pay \$_____ attorney's fees to counsel for ☐ Complainant ☐ Respondent.

☐ Both parties are hereby enjoined and restrained from bothering or harassing each other in any oppressive fashion;

Both parties are hereby enjoined and restrained from disposing of or dissipating the marital assets without permission of the other party;

Other provisions: _____

Pursuant to Virginia Code § 20-60.3, the following is set forth:

1. The name, date of birth, and social security number of each parent of the children and, if different and if known, the name, date of birth and social security number of the person responsible for support and, unless otherwise ordered, the current address and place of employment of each such parent or responsible person are as follows:

MOTHER

Name:

Date of Birth:

SS#:

Driver's License #:

Current Address and Residence Telephone:

Employer and Address and Telephone:

FATHER

Name:

Date of Birth:

SS#:

Driver's License #

Current Address and Residence Telephone:

Employer and Address and Telephone:

2. ☐ No provision for health care coverage is ordered.
- ☐ Complainant ☐ Respondent is required to maintain spouse on health care coverage until entry of a Final Decree of Divorce.
- ☐ Complainant ☐ Respondent is required to maintain health care coverage for dependent children pursuant to §§ 20-108.1 and 20-108.2. The name of the health care plan is _____; and the policy number is _____.
- Complainant shall pay _____% and Respondent shall pay _____% of any uninsured medical and dental bills, and shall include but not be limited to eyeglasses, prescription medication, prostheses and mental health services whether provided by a social worker, psychologist, psychiatrist or counselor, incurred for the child or children commencing _____.
3. ☐ There are no child or spousal support arrearages at this time.
- ☐ Child support arrearages exist as of _____ in the sum of \$_____ covering the period of _____.
- ☐ Complainant ☐ Respondent is to pay \$_____ to the ☐ Complainant ☐ Respondent per month beginning on _____ until said arrearage is paid in full.
- ☐ Spousal support arrearages exist as of _____ in the sum of \$_____ covering the period of _____.
- ☐ Complainant ☐ Respondent is to pay \$_____ to the ☐ Complainant ☐ Respondent per month beginning on _____ until said arrearage is paid in full.
- If support arrearages accumulate, all payments are to be credited to current support obligations first, with any payment in excess of the current obligations applied to arrearages. All support arrearages are subject to interest at the legal rate until fully paid.
4. Support payments may be withheld as they become due pursuant to §§ 20-79.1 or 20-79.2, from income as defined in § 63.1-250, without further amendments of this Order or having to file an application for services with the Department of Social Services.
5. Support payments may be withheld pursuant to Chapter 13 (§ 63.1-249 et seq.) of Title 63.1 without further amendments to this order upon application for services with the Department of Social Services.
6. If child support payments are ordered to be paid through the Department of Social Services, unless the court for good cause shown orders otherwise, the parties shall give each other and the Department of Social Services at least thirty (30) days written notice in advance of any change of address and any change of telephone number within thirty days after the change. If child support payments are ordered to be paid directly to the obligee, unless the court for good cause shown orders otherwise, the parties shall give each other and the court at least thirty days' written notice, in advance, of any change of address and any change of telephone number within thirty days after the change.
7. Where payments are being made through Department of Social Services, Division of Child Support Enforcement (DCSE), the obligor shall keep the DCSE informed of the name and address and telephone number of his/her current employer. An obligor in such cases shall keep the DCSE informed regarding access to health insurance

coverage and health insurance policy information, and such information shall be contained in the Virginia Code § 20-60.3 notices. Where payments are being made directly to the obligee, the obligor shall keep the court informed of the name, address and telephone number of his/her current employer.

8. In determination of a support obligation, the support obligation as it becomes due and unpaid creates a judgment by operation of law.
9. Notice is hereby given that a petition may be filed for suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business or occupation issued by the Commonwealth to a person responsible for support as provided in § 63.1-263.1 upon a delinquency for a period of ninety days or more or in an amount of \$5,000 or more.
- (A) ☐ Complainant does not currently hold such an authorization.
☐ Complainant does hold such an authorization and is licensed as a : _____.
- (B) ☐ Respondent does not currently hold such an authorization.
☐ Respondent does hold such an authorization and is licensed as a : _____.
10. Notice is hereby given that the Department of Social Services may, pursuant to Chapter 13 of Title 63.1 and in accordance with § 20-108.2 and § 63.1-252.2, initiate a review of the amount of support ordered by any court.

Enter: _____

Judge

Have Seen:

Counsel for Complainant

Complainant

Counsel for Respondent

Respondent